

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

CHRISTOPHER RAINES

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Petitioner,

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vs.

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Criminal Case Number
4:09-cr-31-CDL-MSH

UNITED STATES OF AMERICA,

*

Respondent.

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ORDER ON REPORT AND RECOMMENDATION

The United States Magistrate Judge issued a Report and Recommendation on June 25, 2013. Neither party has objected to the Recommendation, and therefore, the Court reviews it for plain error. Finding no such error, the Court adopts the Recommendation and makes it the Order of this Court. Accordingly, Petitioner's previously ordered sentence is vacated, a new sentencing hearing shall be held on January 30, 2014, at 9:30 A.M., the Magistrate Judge shall appoint new counsel for Petitioner, and the U.S. Probation Office shall prepare a new pre-sentence report consistent with today's Order which shall be served upon Government counsel and Petitioner through his new counsel. The Court cannot imagine any basis for an appeal of this Order, and any frivolous attempt to do so would require the denial of a Certificate of Appealability.

IT IS SO ORDERED, this 3rd day of September, 2013.

s/Clay D. Land
CLAY D. LAND
UNITED DISTRICT COURT JUDGE